

d'ARCAMBAL, LEVINE & OUSLEY, LLP
 40 Fulton Street, Suite 1005
 New York, New York 10038
 (212) 971-3175
 (212) 971-3176 (Facsimile)

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

	X
METROPOLITAN LIFE INSURANCE COMPANY,	:
Plaintiff,	:
	:
-against-	:
KATHRYN CLAIRE CAMPBELL, CATHERINE LEE WERNER, and SHARON CAMPBELL,	:
Defendants.	:

NOTICE OF MOTION AND CROSS-MOTION

KATHRYN CLAIRE CAMPBELL,
CATHERINE LEE WERNER, and SHARON CAMPBELL,

Defendants.

X

PLEASE TAKE NOTICE, that upon the previously filed Memorandum of Law, dated November 9th, 2007, and all the pleadings filed therewith and in the forms of later responses and replies, Plaintiff Metropolitan Life Insurance Company ("MetLife") will move this Court at the United States Courthouse for the Southern District of New York, held in and for the Southern District, located at 500 Pearl Street, on the 10th day of January 2008, at 9:30 in the forenoon of that day, or as soon thereafter as counsel may be heard, for an Order, pursuant to 28 U.S.C. §§1335 and 2361:

- 1) Allowing Plaintiff to interplead the disputed funds into this Court;
- 2) Enjoining the parties and the Second Judicial Court of Washoe County, Nevada from proceeding with CV07-1361 filed July 20, 2007 and entitled *Kathryn Claire Campbell v. Catherine Werner, et al.*; and
- 3) Awarding such other and further relief as this Court deems just and proper.

Dated: December 4, 2007
New York, New York

d'Arcambal, Levine & Ousley, LLP

By: /S/

Aimee P. Levine (AL 4386)
James M. Lenaghan (JL 6473)
40 Fulton Street – Suite 1005
New York, NY 10038
(212) 971-3175

Attorneys for Plaintiff MetLife

CERTIFICATE OF SERVICE

I certify that copies of the within Notice of Cross-Motion were served by first class mail on John T. Morin and Sean O'Leary, Esquires and Eugene Killian, Jr. and Ryan Milun, Esquires, Counsel for Defendants, on December 4, 2007.

/S/
James M. Lenaghan